

Serial No.: 10/761,661
Docket No.: RPS920030209US1
Reply to the Office Action of March 17, 2008

REMARKS

Introduction

Upon entry of the foregoing response, claims 19-31 are pending in the application. Claims 19, 25 and 31 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all pending claims are requested.

Rejection under 35 USC §103

Claims 19, 20, 23-26, and 29-31 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Publication No. 11-013564 to Kazuo (hereinafter “Kazuo”) in view of U.S. Patent Publication No. 6,917,824 to Kobayashi (hereinafter “Kobayashi”). Applicant respectfully requests reconsideration and withdrawal of the rejection, for at least the following reasons.

Claim 19

Independent claim 19 has been amended to more clearly define the invention. For at least the following reasons, the cited combination of references does not teach or suggest all of the features of the method of claim 19.

The Examiner concedes that Kazuo does not teach or suggest a method of optimizing wireless reception at a computer, including the features of “determining if reception quality by the cell phone is inadequate; and repositioning the first component by rotating the first component about the hinge until the fixed external antenna achieves optimal wireless reception,” as currently recited in claim 19. Additionally, the Examiner cites col. 7, ln. 52 – col. 8, ln. 22; and Figure 2C of Kobayashi and on pages 3, 6 and 7 of the Office Action states that “Kobayashi teaches” these quoted features. (Emphasis added) Respectfully, the Examiner’s statement is incorrect. For at least the reasons given below, Kobayashi does not teach or suggest these features.

The purpose and function of the first hinge unit 14 of Kobayashi is simply to provide the folding portable telephone of Kobayashi with a “one touch” opening feature, or a “selective position” open or close feature to ease the burden for a user of the folding portable telephone in the opening and closing the folding portable telephone. (See, col. 3, Ins. 37-59) As described in

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the portions of Kobayashi cited by the Examiner, the first hinge unit 14 of Kobayashi is capable of causing the first housing 11 and second housing 12 portions of the portable telephone (depicted in Figs. 2A-2C of Kobayashi) to snap to a folded condition (approximately 0° between the first housing 11 and the second housing 12) if the angle formed between the first housing 11 and the second housing 12 is less than or equal to a small angle θ1. Likewise, the cited portions of Kobayashi describe that the first hinge unit 14 is capable of causing the first housing 11 and second housing 12 portions of the portable telephone to spring open to an opened condition (approximately 160° between the first housing 11 and the second housing 12) if the angle formed between the first housing 11 and the second housing 12 is less than or equal to a larger angle α-θ2 (where α = 160°, and θ2 is a small angle).

There is certainly no teaching or suggestion in the cited portions of Kobayashi of making a determination of whether there is inadequate reception quality by the folding telephone of Kobayashi. All that is discussed therein is an opening/closing feature of the folding telephone which feature is not based on reception quality, but is instead based on “ease of operation” of the opening and closing of the folding telephone of Kobayashi.

Furthermore, there is certainly no teaching or suggestion in the cited portions of Kobayashi that the opening or closing of the portable telephone via the first housing 11 and the second housing 12 is accomplished to provide the portable telephone with optimal wireless reception. No such teaching is found in Kobayashi. The cited portions of Kobayashi merely describe a mechanical “ease of operation” of the “one touch” and “selective position” opening and closing features of the folding portable telephone of Kobayashi and is not based at all on a determination of the reception quality of the folding telephone.

Therefore, for at least these reasons neither Kazuo nor Kobayashi, separately, or in combination, teaches or suggests a method of optimizing wireless reception at a computer which includes the features of “determining if reception quality by the cell phone is inadequate; and repositioning the first component by rotating the first component about the hinge until the fixed external antenna achieves optimal wireless reception,” as currently recited in claim 19. Thus, for at least the above reasons, claim 19 is patentably distinguishable over Kazuo and Kobayashi. Accordingly it is respectfully requested that the rejection of this claim be withdrawn, and allowance of claim 19 is earnestly solicited.

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Claim 25

Independent claim 25 has been amended to more clearly define the invention.

For at least the reasons given above in regard to amended independent claim 19, neither Kazuo nor Kobayashi, separately, or in combination, teaches or suggests, among other things, a system for optimizing wireless reception at a computer including the features of “means for determining if reception quality by the cell phone is inadequate; and means for repositioning the first component by rotating the first component about the hinge until the fixed external antenna achieves optimal wireless reception,” as currently recited in independent claim 25. Therefore, for at least the above reasons, claim 25 is patentably distinguishable over Kazuo and Kobayashi. Accordingly it is respectfully requested that the rejection of this claim be withdrawn, and allowance of claim 25 is earnestly solicited.

Claim 31

Independent claim 31 has been amended to more clearly define the invention.

For at least the reasons given above in regard to amended independent claim 19, neither Kazuo nor Kobayashi, separately, or in combination, teaches or suggests, among other things, a system for optimizing wireless reception at a computer including the features of “repositioning the first component by rotating the first component about the hinge until determining the fixed external antenna achieves optimal wireless reception,” as currently recited in independent claim 25. Therefore, for at least the above reasons, claim 25 is patentably distinguishable over Kazuo and Kobayashi. Accordingly it is respectfully requested that the rejection of this claim be withdrawn, and allowance of claim 25 is earnestly solicited.

Claims 20, 23, 24, 26, 29 and 30

Regarding dependent claims 20, 23, 24, 26, 29 and 30, since these claims depend from amended independent claim 19 or 25, they include all of the features of the respective independent claim from which they depend, as described above. For at least the reasons given above regarding amended independent claims 19 and 25, there is no teaching or suggestion in Kazuo or Kobayashi, separately or in combination, of all of the features of these dependent claims. Therefore, for at least the above reasons, claims 20, 23, 24, 26, 29 and 30 are patentably distinguishable over Kazuo and Kobayashi. Accordingly it is respectfully requested

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that the rejection of these claims be withdrawn, and allowance of claims 20, 23, 24, 26, 29 and 30 is earnestly solicited.

Claims 21, 22, 27, and 28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kazuo in view of Kobayashi and further in view of U.S. Patent No. 6,525,932 to Ohnishi et al. (hereinafter “Ohnishi”). Applicant respectfully requests reconsideration and withdrawal of the rejection, for at least the following reasons.

Claims 21, 22, 27, and 28

Regarding dependent claims 21, 22, 27, and 28, since these claims depend from amended independent claim 19 or 25, they include all of the features of the independent claim from which they respectively depend, as described above. For at least the reasons given above regarding amended independent claims 19 and 25, there is no teaching or suggestion in Kazuo or Kobayashi, separately or in combination, of all of the features of these dependent claims. Furthermore, the cited portion of Ohnishi does not overcome the deficiencies of Kazuo and Kobayashi, nor was Ohnishi cited by the Examiner for that purpose.

Therefore, for at least the above reasons, claims 21, 22, 27, and 28 are patentably distinguishable over Kazuo, Kobayashi and Ohnishi, separately or in combination. Accordingly it is respectfully requested that the rejection of these claims be withdrawn, and allowance of claims 21, 22, 27, and 28 is earnestly solicited.

Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

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No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time, as well as any other fee necessary to further the prosecution of this application, to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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